

Safer Lambeth Executive

28th July 2009

Designated Public Places Order: delegation to the Drugs and Alcohol PAG

Megan Jones

Lambeth Community Safety/Drug and Alcohol Team

020 7926 2684

Report summary

The Drug and Alcohol PAG (DA-PAG) have initiated public consultation on the application of a borough-wide Designated Public Places Order to on-street alcohol related ASB and disorder. The consultation period finishes on 31 July. The DPPO has to be approved by a meeting of Lambeth Council and this takes place on 21 October, before the next meeting of the Executive on 27 October.

Report recommendations

The Executive is asked to delegate authority to the DA-PAG to review the results of the consultation and sign-off the DPPO on behalf of the Partnership, if appropriate, for consideration by the Council's Cabinet meeting on 14 September and the full Council meeting on 21 October 2009.

Report / Issue history

MEETING / BODY	OUTCOMES / RESOLUTION
(former) Safer Lambeth Executive, 14 April 2008	That areas of on-street drinking be treated on a case by case basis using existing powers, including dispersal zones and small DPPOs if necessary. That a decision on a borough-wide DPPO be reviewed after 12 months.
Drug and Alcohol PAG, 2 April 2009	Agreed business case for a borough-wide DPPO and to initiate public consultation exercise from May to July 2009.

Report appendices

None.

Designated Public Places Order: delegation to the Drugs and Alcohol PAG

1. Background

- 1.1 The Criminal Justice and Police Act 2001 (CJPA) gives local authorities the power to assign a public area where it is an offence to drink alcohol after being required by a police officer not to do so. Where a Designated Public Places Order (DPPO) is in effect the police have the power to require individuals to surrender any opened or sealed containers of alcohol. If they fail to comply with the request they can be arrested or given an on the spot fine. Once a DPPO is served, it remains permanently in force for the designated area.
- 1.2 A DPPO is not a ban on drinking in public, but is intended to give police extra powers to address alcohol-related anti-social behaviour and disorder.
- 1.3 Disorder associated with street drinking has become an increasing concern in recent years. The consumption of alcohol in public places, such as parks, commons and the street, becomes problematic when linked to localised incidents of repeat anti-social behaviour and disorder and to excessive, binge and problematic alcohol misuse.
- 1.4 Research¹ using CAD data between Sept 2006 and July 2007 for reports of anti-social behaviour in Lambeth suggested that 'street drinking'² accounted for **6%** of reported ASB incidents across the borough, **ranked third** behind 'rowdy/inconsiderate behaviour' and 'substance misuse'. However, as the former includes behaviours that can be attributed to street drinking, such as shouting and swearing, loutish, rowdy and noisy behaviour, it is likely that this category, which accounted for **57%** of all ASB calls, also includes street drinking related incidents. So the 6% is likely to be an underestimate.
- 1.5 The impact of street drinking is relevant to two of the key success measures in the Partnership Plan:
 - (a) NI 41 the perception of drunk and rowdy behaviour
 - (b) NI 21 Dealing with local concerns about anti-social behaviour and crime by the local council and police.
- 1.6 Issues that adversely impact on public confidence are likely to be of particular concern now that NI 21 has been adopted as the overarching Single Confidence Target for the Partnership.
- 1.7 We are also aware that there are particular areas in Lambeth with entrenched problems of street drinking and where the community perceive street drinking as a problem and wish to see stronger enforcement interventions.

¹ Presented to the former Drug and Alcohol Joint Action Group in April 2008.

² Defined as 'unlicensed drinking in groups in public places, persons drinking in a public place and unplanned street parties involving alcohol use.' (National Standard for Incident Reporting, Home Office, ACPO, APA, April 2007).

2. Safer Lambeth's approach to the adoption of DPPOs

- 2.1 Our approach has essentially been cautious. A ward based DPPO was agreed for Bishop's in the North of the borough in 2003 and has been in force since. In 2007/8 the former Drug and Alcohol Joint Action Group and Safer Lambeth Executive rejected the application of a borough-wide DPPO and agreed instead that areas of on-street drinking be treated on a case by case basis using existing powers, including dispersal zones and small area DPPOs if necessary. It was further agreed that a review should be carried out after 12 months.
- 2.2 Earlier this year, the Drug and Alcohol PAG agreed to reopen consideration of a borough-wide DPPO. New evidence has become available regarding the success of borough-wide DPPOs in other London boroughs:
 - in Southwark a reduction of 27% in street drinking levels;
 - in Hammersmith and Fulham a reduction of 62.7% in street drinking levels in hotspot areas.
- 2.3 These evaluations have shown positive impacts in reducing levels of street drinking and related anti-social behaviour using existing police Safer Neighbourhood Teams (SNTs). Locally it has also become clear that some SNT's in affected areas believe a DPPO is the best tool to deal with on-street drinking and associated ASB.
- 2.4 The DA-PAG agreed to initiate a public consultation to evaluate the support for a borough-wide DPPO. This commenced on 15 May and will run to 31 July. The consultation process has been extensive, including:
 - a public notice in the local press (a statutory requirement)
 - a large consultation notice in Lambeth Life (eliciting over 100 posted responses)
 - a webpage and online 'SNAP survey' (over 160 responses)
 - an email address (approx. 40 responses)
 - letters to all licensed premises and neighbouring boroughs (legal requirement)
 - consultation details sent to Residents Associations/RSLs, community groups, ward panels, SNTs, Pubwatches and other partners.
- 2.5 Interim results from the consultation process are positive. Over 300 responses have been received and the feedback has been largely supportive of the proposal for a borough-wide DPPO with support running as high as 80% of responses. This is broadly in line with DPPO consultations in other London boroughs.

3. Lambeth DPPO, process and timetable

- 3.1 The consultation period finishes on 31 July, after this meeting of the Executive. As the DPPO is an order made by a local authority, a full meeting of councillors is required to approve the Order. The next, and final, full meeting of Lambeth Council in 2009 is on 21 October. Unfortunately, this is before the next meeting of the Executive scheduled for 27 October.
- 3.2 Therefore, for the DPPO process to go forward during 2009, the DA-PAG requires delegated authority to decide on behalf of Safer Lambeth whether to recommend the adoption of the DPPO to the Council.
- 3.3 Therefore, the Executive is requested to delegate its authority to the DA-PAG for this purpose.
- 3.4 If the DPPO goes ahead, the timetable is as follows:

31 July	DPPO Consultation period ends
10 August	DA-PAG meets, reviews consultation responses and decides whether to recommend adoption of borough-wide DPPO
14 September	LBL Cabinet meets, decides whether to endorse DPPO
21 October	Full Council, signs-off Order
November	Notice of the Order posted in local press
December/January	Order comes into force, including powers to confiscate alcohol